

EXHIBIT 1

From: [Ellison, Robert \(CC\)](#)
To: [Adam Wolfson](#)
Cc: [QESongkick](#); [Wall, Dan \(SF\)](#); [Schechter, Daniel \(CC\)](#); [O'Mara, Tim \(SF\)](#); [Gass, Andrew \(SF\)](#); [Ferguson, Kirsten \(SF\)](#); [Grace, Stephanie \(NY\)](#)
Subject: RE: Local Rule 16-2 Meet and Confer
Date: Wednesday, August 30, 2017 4:38:38 PM

Adam, thanks. These changes are fine and we will make them.

Best,
Rob

From: Adam Wolfson [mailto:adamwolfson@quinnemanuel.com]
Sent: Wednesday, August 30, 2017 4:33 PM
To: Ellison, Robert (CC) <Robert.Ellison@lw.com>
Cc: QESongkick <QESongkick@quinnemanuel.com>; Wall, Dan (SF) <Dan.Wall@LW.com>; Schechter, Daniel (CC) <DANIEL.SCHECTER@lw.com>; O'Mara, Tim (SF) <Tim.O'Mara@LW.com>; Gass, Andrew (SF) <Andrew.Gass@lw.com>; Ferguson, Kirsten (SF) <kirsten.ferguson@lw.com>; Grace, Stephanie (NY) <Stephanie.Grace@lw.com>
Subject: RE: Local Rule 16-2 Meet and Confer

Rob,

Thanks for sending. We do not intend to oppose, subject to Defendants including the edits we provide in the attached redlines. These shouldn't be controversial, but, if you think they are, please let us know when you would like to discuss.

Thanks,
Adam

From: Robert.Ellison@lw.com [mailto:Robert.Ellison@lw.com]
Sent: Wednesday, August 30, 2017 1:26 PM
To: Adam Wolfson <adamwolfson@quinnemanuel.com>
Cc: QESongkick <QESongkick@quinnemanuel.com>; Dan.Wall@LW.com; DANIEL.SCHECTER@lw.com; Tim.O'Mara@LW.com; Andrew.Gass@lw.com; kirsten.ferguson@lw.com; Stephanie.Grace@lw.com
Subject: RE: Local Rule 16-2 Meet and Confer

Adam,

Thanks, we are on for the 18th at Quinn (10 a.m.) and 22nd at Latham (10 a.m.). As for our proposed submission, the *ex parte* application and related materials are attached. We intend to file this application tomorrow.

Please let us know if you would like to discuss. Once you have reviewed, please confirm that Songkick will not oppose the requested relief.

Best,
Rob

Rob Ellison | LATHAM & WATKINS LLP

10250 Constellation Boulevard | Los Angeles, California 90067
Tel: 424.653.5570 | Fax: 424.653.5501 | <http://www.lw.com>

From: Adam Wolfson [<mailto:adamwolfson@quinnemanuel.com>]
Sent: Wednesday, August 30, 2017 12:43 PM
To: Ellison, Robert (CC) <Robert.Ellison@lw.com>
Cc: QESongkick <QESongkick@quinnemanuel.com>; Wall, Dan (SF) <Dan.Wall@LW.com>; Schechter, Daniel (CC) <DANIEL.SCHECTER@lw.com>; O'Mara, Tim (SF) <Tim.O'Mara@LW.com>; Gass, Andrew (SF) <Andrew.Gass@lw.com>; Ferguson, Kirsten (SF) <kirsten.ferguson@lw.com>; Grace, Stephanie (NY) <Stephanie.Grace@lw.com>
Subject: RE: Local Rule 16-2 Meet and Confer

Thanks, Rob. We can meet at Latham's downtown office on the 22nd, and we will be on the lookout for Defendants' proposed submission.

From: Robert.Ellison@lw.com [<mailto:Robert.Ellison@lw.com>]
Sent: Wednesday, August 30, 2017 10:05 AM
To: Adam Wolfson <adamwolfson@quinnemanuel.com>
Cc: QESongkick <QESongkick@quinnemanuel.com>; Dan.Wall@LW.com; DANIEL.SCHECTER@lw.com; Tim.O'Mara@LW.com; Andrew.Gass@lw.com; kirsten.ferguson@lw.com; Stephanie.Grace@lw.com
Subject: RE: Local Rule 16-2 Meet and Confer

Adam,

Your plan to meet in person with the LA-based Latham team on September 18, with the SF-based team on the phone, works for us. We will come to Quinn that day. The timing on September 22 is difficult for Dan Schechter, but he can make it work if we meet at Latham's office downtown. Does that work?

Regarding the pretrial conference date, we are not asking for or suggesting a trial continuance, and will make clear that all other pretrial/trial dates will remain unchanged. We will send you our proposed submission in advance of filing.

Best,
Rob

Rob Ellison | LATHAM & WATKINS LLP

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From: Adam Wolfson [<mailto:adamwolfson@quinnemanuel.com>]

Sent: Wednesday, August 30, 2017 8:25 AM

To: Ellison, Robert (CC) <Robert.Ellison@lw.com>

Cc: QESongkick <QESongkick@quinnemanuel.com>; Wall, Dan (SF) <Dan.Wall@LW.com>; Schechter, Daniel (CC) <DANIEL.SCHECTER@lw.com>; O'Mara, Tim (SF) <Tim.O'Mara@LW.com>; Gass, Andrew (SF) <Andrew.Gass@lw.com>; Ferguson, Kirsten (SF) <kirsten.ferguson@lw.com>; Grace, Stephanie (NY) <Stephanie.Grace@lw.com>

Subject: RE: Local Rule 16-2 Meet and Confer

Rob,

Thanks for the proposals. We are fine with meeting and conferring on both September 18 and 22. Our preference would be to meet in person on the 18th with LA-based Latham team members while San Francisco and any other non-LA team members attend by phone. (If LA attorneys are attending, it is our understanding that we are required to meet and confer in person.) We also are fine with beginning to discuss LR 16-2 issues on the 18th and complete discussing them on the 22nd. How about we plan to begin each meet and confer at 10 AM PT at QE's offices? We will identify agendas for topics of discussion closer in time to the meet and confers.

Regarding Defendants' request to continue the pretrial conference date, Songkick cannot stipulate because it is prepared to proceed on October 16 and, for the reasons already set forth in briefing on Defendants' previous motion for a continuance, Songkick believes it is paramount to move forward with trial on the date the Court set last May. However, if your filing makes clear that Defendants are not asking nor suggesting this last minute conflict justifies a continuance in the date for trial, we may not oppose the request. We will need to see Defendants' proposed submission, though, before we can take an official position. Please send us a proposed draft and we will review promptly.

Thanks,
Adam

From: Robert.Ellison@lw.com [<mailto:Robert.Ellison@lw.com>]

Sent: Tuesday, August 29, 2017 1:53 PM

To: Adam Wolfson <adamwolfson@quinnemanuel.com>

Cc: QESongkick <QESongkick@quinnemanuel.com>; Dan.Wall@LW.com; DANIEL.SCHECTER@lw.com; Tim.O'Mara@LW.com; Andrew.Gass@lw.com; kirsten.ferguson@lw.com; Stephanie.Grace@lw.com

Subject: RE: Local Rule 16-2 Meet and Confer

Adam,

We would like to hold an in-person meet and confer pursuant to LR 16-2 on September 22, because Dan Wall, Tim O'Mara, and Andy Gass will be in Los Angeles that day in advance of the September 25 hearing. Thanks for hosting, and please let us know a few times that day that work for you.

Additionally, pursuant to Local Rule 7-3, we are required to meet and confer regarding the parties' motions *in limine* at least seven days before they are filed. As the filing deadline for motions *in limine* is September 25, we propose a telephonic meet and confer on September 18. On this same call, given the volume of issues to resolve at the LR 16-2 meeting, we would also like to start discussing the various LR 16-2 issues. We can then continue that discussion at the in-person LR 16-2 meeting. To that end, please let us know your availability on September 18 for a teleconference.

Finally, we recently learned that Dan Wall now has an immovable conflict on October 16, the date for the Final Pretrial Conference and the *Daubert* hearing. Specifically, he is teaching at the Antitrust Judicial Training Institute on October 16 at the University of Chicago Law School. The program is a joint production of the Federal Judicial Center, the ABA Antitrust Section, and the law school. Dan committed to teach at this program several months ago, and only recently learned the exact date—and that it conflicted with the Pretrial Conference and *Daubert* hearing date. To that end, we need to request that the Court reschedule the Pretrial Conference and *Daubert* hearing for a date convenient for the Court, anytime between October 17-20 or October 23-27. All other dates would remain the same. Please let us know if any of these alternative dates work for you, and we will send you a proposed joint stipulation.

Best,
Rob

Rob Ellison | LATHAM & WATKINS LLP

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From: Adam Wolfson [<mailto:adamwolfson@quinnemanuel.com>]

Sent: Tuesday, August 29, 2017 11:23 AM

To: Wall, Dan (SF) <Dan.Wall@LW.com>; Schechter, Daniel (CC) <DANIEL.SCHECTER@lw.com>; O'Mara, Tim (SF) <Tim.O'Mara@LW.com>; Gass, Andrew (SF) <Andrew.Gass@lw.com>; Ellison, Robert (CC) <Robert.Ellison@lw.com>; Ferguson, Kirsten (SF) <kirsten.ferguson@lw.com>

Cc: QESongkick <QESongkick@quinnemanuel.com>

Subject: Local Rule 16-2 Meet and Confer

Counsel,

Can you please let us know your availability the week of September 18 for the LR 16-2 meet and

confer? We can host at Quinn Emanuel's LA office.

Thanks,

Adam Wolfson

Partner

Quinn Emanuel Urquhart & Sullivan, LLP

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